

Senate Amendment 5003

PAG LIN

1 1 Amend Senate File 261, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by striking lines 25 and 26 and
1 4 inserting the following: <For the purposes of this
1 5 subsection, "transfer" means the transfer or
1 6 conveyance by sale, exchange, real estate contract, or
1 7 any other method by which real estate and improvements
1 8 are purchased, if the property includes at least one
1 9 but not more than four dwelling units. However,
1 10 "transfer" does not include any of the following:
1 11 (1) A transfer made pursuant to a court order,
1 12 including but not limited to a transfer under chapter
1 13 633 or 633A, the execution of a judgment, the
1 14 foreclosure of a real estate mortgage pursuant to
1 15 chapter 654, the forfeiture of a real estate contract
1 16 under chapter 656, a transfer by a trustee in
1 17 bankruptcy, a transfer by eminent domain, or a
1 18 transfer resulting from a decree for specific
1 19 performance.
1 20 (2) A transfer to a mortgagee by a mortgagor or
1 21 successor in interest who is in default, or a transfer
1 22 by a mortgagee who has acquired real property at a
1 23 sale conducted pursuant to chapter 654, a transfer
1 24 back to a mortgagor exercising a right of first
1 25 refusal pursuant to section 654.16A, a nonjudicial
1 26 voluntary foreclosure procedure under section 654.18
1 27 or chapter 655A, or a deed in lieu of foreclosure
1 28 under section 654.19.
1 29 (3) A transfer by a fiduciary in the course of the
1 30 administration of a decedent's estate, guardianship,
1 31 conservatorship, or trust.
1 32 (4) A transfer between joint tenants or tenants in
1 33 common.
1 34 (5) A transfer made to a spouse, or to a person in
1 35 the lineal line of consanguinity of a person making
1 36 the transfer.
1 37 (6) A transfer between spouses resulting from a
1 38 decree of dissolution of marriage, a decree of legal
1 39 separation, or a property settlement agreement which
1 40 is incidental to the decree, including a decree
1 41 ordered pursuant to chapter 598.>
1 42 #2. Page 1, by inserting before line 27 the
1 43 following:
1 44 <aa. The inspection requirement of paragraph "a"
1 45 does not apply to a transfer in which the transferee
1 46 intends to demolish or raze the building. The
1 47 department shall adopt rules pertaining to such
1 48 transfers.>
1 49 #3. Page 1, line 31, by deleting the words <one
1 50 year> and inserting the following: <three years>.
2 1 #4. Page 3, line 1, by striking the figure <2008>
2 2 and inserting the following: <2009>.
2 3 #5. By renumbering, relettering, or redesignating
2 4 and correcting internal references as necessary.
2 5 SF 261.H
2 6 TW/JG/25